

NOV 09 1988

EXPRESS MAIL-
RETURN RECEIPT REQUESTED

Thomas M. Armstrong, Esq.
General Electric Company
3135 Easton Turnpike - W1A
Fairfield, CT 06431

Re: Scientific Chemical Processing (SCP) - Carlstadt, New Jersey
Administrative Order Index No. II-CERCLA-50114 and
Administrative Order Index No. II-CERCLA-60102

Dear Mr. Armstrong:

This is a follow-up to my letter dated November 3, 1988. EPA is concerned about a number of problems regarding the performance of the Remedial Investigation and Feasibility Studies ("RI/FS") at the SCP-Carlstadt site.

As I indicated to you at our meeting on October 31, 1988, the Agency has concluded that the RI/FS required by the above-referenced Orders ("the Orders") is not proceeding in a timely or acceptable manner. In particular, I bring to your attention the following items which were among the topics discussed at that meeting.

1. The Orders require that Respondents appoint a Facility Coordinator who "shall be responsible for oversight of the implementation of..." the Orders. They also require that the designated Facility Coordinator have sufficient technical expertise to oversee the RI/FS. Since May, 1988, the RI/FS has been proceeding without any qualified Facility Coordinator. In EPA's view, failure to maintain a Facility Coordinator is a violation of the terms of the Orders.
2. The Orders require that, upon receipt of EPA's comments on the Preliminary RI Report, the Respondents "...amend said Report as required by those comments or as otherwise agreed upon by EPA...and submit the amended report to EPA...." EPA provided the Respondents with comments on the Preliminary RI Report in August 1988. The Respondents submitted a revised RI Report to EPA in September 1988; this RI Report was not amended as required by EPA's comments. In fact, some amendments conflicted with EPA's comments. In EPA's view, such failure to address EPA's comments on the Preliminary RI Report represents a violation of the Orders.

In EPA's view, both the April and the September drafts of the RI Reports fail to objectively present the data collected during the remedial investigation. For example, the term "hazardous substance" is conspicuously absent from the drafts, although the data indicate extremely high levels of hazardous substances throughout the soils and groundwater at the site. Failure to interpret the data accurately (whether intentional or not) causes EPA to doubt your ability to assess objectively remedial alternatives for the site.

EPA believes the RI/FS has been managed in an ad hoc, unplanned, unfocused manner without any technical leadership, without any sense of urgency and without any particular direction over at least the last six months. (This happens to coincide with the period during which there was no qualified Facility Coordinator to oversee the RI/FS.)

For example, in February, 1988, EPA asked your consultant to give their highest priority to evaluating remedial options for mitigation of the contamination which exists in the shallow aquifer zone on the site -- the most highly contaminated area of the site. At EPA's request, your consultant submitted a proposed on-site source control FS completion schedule. EPA required changes to this proposed schedule. A revised schedule, submitted in May 1988, was approved with certain changes. In particular, EPA required Respondents to submit the draft On-Site Source Control FS on September 5, 1988. However, the Agency subsequently extended the deadline for submitting the draft report to October 17, 1988. EPA was led to believe and expected that the draft report would be submitted on October 17, 1988. On September 20, 1988 (less than one month before the draft report was due), EPA was informed by Respondents that, in their opinion, additional studies were required to complete the On-Site Source Control FS. To propose additional studies in September when you have had the site data and been evaluating it to assess remedial alternatives since February demonstrates a serious lack of foresight. The Agency still awaits submittal of detailed work plans for these studies though we had requested at a meeting on September 20, 1988 that they be submitted by no later than October 14, 1988.

I urge you to impress upon the members of your committees the sense of dissatisfaction which EPA feels concerning this matter. If the Agency is to continue to allow this work to be performed by the Respondents, EPA demands that the Respondents perform the following:

1. Immediately identify a qualified Facility Coordinator in writing to EPA, including the documentation concerning his or her qualifications, etc., as required by the Orders; and

2. Submit, on or before December 1, 1988, a detailed proposal from the Facility Coordinator to EPA addressing how you intend to complete all on-site source control FS activities which are needed to select an operable unit remedy for the soil and groundwater which exist above the clay lens at the site. This proposal must include:
- a) a description of all work which is necessary to prepare a technically supportable Preliminary On-Site Source Control FS Report;
 - b) a schedule for the completion of the On-Site Source Control FS (which was initiated in March, 1988) to which you will adhere;
 - c) the identity of all contractors/consultants who will be performing the proposed work.

Be advised, if the proposal you submit does not indicate that On-Site Source Control FS will be completed by Respondents in a timely manner, EPA intends to complete the On-Site Source Control FS utilizing its own resources. In addition, if EPA does allow you to complete the On-Site Source Control FS, EPA will not accept any further requests for additional work beyond the scope of the proposal to be submitted on December 1, 1988 (unless they can be performed without affecting the schedule for submitting a Preliminary On-Site Source Control FS Report). EPA intends to review your proposal and will determine whether the proposed work is necessary to complete the On-Site Source Control FS.

If you have any questions regarding the content of this letter, contact Janet Feldstein or James Schmidtberger, of my staff, at (212) 264-2646.

Sincerely yours,

Raymond Basso, Acting Chief
Site Compliance Branch

cc: Bruce Jernigan, BFI
William Warren, Esq.
Pamela Lange, NJDEP

bcc: J. Rooney, ORC-NJSUP
J. Schmidtberger, ERRD-SCB
R. Schwarz, ERRD-NJRAB

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